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In re Application of:
Ammar Derraa
Application No. 09383,331
Filed: August 26, 1999
Attorney Docket No. 100718.422/MIC-80

**DECISION ON PETITION
TO WITHDRAW HOLDING
OF ABANDONMENT**

This is a decision on the petition filed November 19, 2002, under 37 CFR § 1.181, to withdraw the holding of abandonment. No petition fee is required.

The petition to withdraw the holding of abandonment is **GRANTED**.

The application was held abandoned for the failure timely file a response to a Restriction Requirement mailed on December 04, 2001. A Notice of Abandonment was mailed on August 19, 2002.

Petitioner asserts that on January 14, 2002, a response was filed with a petition for a one month extension of time. In support of this assertion, petitioner has submitted a copy of the response, the petition for an extension of time and a copy of the itemized postcard receipt bearing a date stamp of receipt in the United States Patent and Trademark Office of February 11, 2002 of an response, and an authorization to charge a deposit account for the extension of time.

A review of the application file reveals the above noted response was matched with the application file wrapper at the time of mailing of the Notice of Abandonment, but not properly made of record in the file. It is noted that the fee for the extension of time was charged on February 14, 2002. The Notice of Abandonment was apparently issued in error, without consideration of the response filed on January 14, 2002.


For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for processing the response. From there, the application will be forwarded to the examiner for taking

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appropriate action.

Inquiries regarding this decision should be directed to Clayton E. LaBalle at (703) 308-0519.



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